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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of:

AMSOONDAR, James

Serial No. : 10/724,249

Filed: November 26, 2003

METHOD OF MIXING A SAMPLE WITH  
A REAGENT IN A CHEMISTRY

Docket No. 31773-DIV2

Customer No.: 23,589

Group Art Unit No: 1761

Examiner:

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL

Transmitted herewith are: Express Mail Transmittal (1 pg); Petition Under 37 C.F.R. 1.182 to Accord the Benefit of Prior-Filed Applications (2 pgs); Supplementary Preliminary Amendment (1 pg); Amendments to Specification (1 pg); Listing of the Claims (1 pg); Remarks (2 pgs); and return postcard (1 pg)

EV 722668135 US

Respectfully submitted,

Date: September 2, 2005

By

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ATTORNEYS FOR APPLICANT(S)



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Docket No. 31773-DIV2

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Group Art Unit No. 1631

Examiner:

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Commissioner for Patents  
Mail Stop: Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

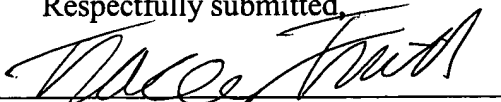
PETITION UNDER 37 C.F.R. 1.182 TO ACCORD THE BENEFIT OF PRIOR-FILED  
APPLICATIONS OR IN THE ALTERNATIVE, A PETITION TO ACCEPT TO ACCEPT AN  
UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY UNDER 35 U.S.C. 120

Applicant, through his attorney, hereby petitions under 37 C.F.R. 1.182 to accord the present application the benefit of prior-filed applications. The present application was filed on November 26, 2003, as a divisional application of application serial no. 10/141,377, filed May 7, 2002, which is a divisional application of application serial no. 09/664,704, filed September 19, 2000. However, such a request for the benefit of priority failed to further note that application serial no. 09/664,704 was a continuation application of PCT/CA99/00236, filed on March 19, 1999, which further claimed priority to application serial no. 60/078,780, filed March 19, 1998. The present application further incorporated each of these prior-filed applications in their entirety. Fortunately, application serial no. 09/664,704 contained the correct claim for priority. Because this previously-filed application

was incorporated by reference, Applicant respectfully requests that the present application be amended to claim and receive the benefit of PCT/CA99/00236 and application serial no. 60/078,780. In the event this petition is granted, the Patent Office is authorized to withdraw the petition fee set forth in 37 C.F.R. 1.17(f) from Deposit Account No. 19-0522.

In the alternative, if the petition under 37 C.F.R. 1.182 is not granted, Applicant hereby petitions to accept an unintentionally delayed claim for priority under 35 U.S.C. Section 120. Specifically, Applicant requests that the present application receive the benefit of PCT/CA99/00236, filed on March 19, 1999, which further claimed priority to application serial no. 60/078,780, filed March 19, 1998. It is noted that the present application has already claimed the benefit of application serial no. 10/141,377 and application serial no. 09/664,704. The specification as amended now correctly claims the benefit of the prior-filed applications. The entire delay between the date the claim was due under 37 C.F.R. 1.78(a)(2)(ii) and the date the claim was filed was unintentional, and Applicant respectfully requests consideration of the claim for priority. In the event that the petition under 37 C.F.R. 1.182 is denied, the Patent Office is authorized to charge the petition fee under 37 C.F.R. 1.17(t) from Deposit Account No. 19-0522

Respectfully submitted,

By   
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